

FWP COMMISSION AGENDA ITEM COVER SHEET

Meeting Date: April 14, 2011

Agenda Item: Sale of 400+ square feet of FWP Land at Augusta Check Station to MT Department of Transportation for Augusta Road and Highway 287 road, curb and gutter, and sidewalk project.

Division: Wildlife Region 4

Action Needed: _____ **Approval of Proposed (Tentative) Rule** X **Approval of Final Rule/Action**
_____ **Endorse Course of Action** _____ **None - information only**

Time Needed on Agenda for this Presentation: _____ 5 Minutes _____

Background (Brief description of the issue, decision to be made, history, etc.): MT Department of Transportation (MDOT) is placing new sidewalks curb and gutters, and paving the main road through Augusta (HWY 287), from the west end of Town to the Post Office just east of FWP's Augusta Check Station. To meet Federal DOT regulatory requirements when using Federal Highway funding MT Department of Transportation had to realign Walrath Street where it intersects with Highway 287.

The intersection is adjacent to FWPs Augusta Check Station and to accomplish the realignment MDOT engineers found it necessary to encroach onto FWP property. MDOT has requested to purchase 400+ square feet of the Augusta Check Station at the intersection of Walrath and 287 at the appraised Value of \$2,550. The fee title sale to MDOT of 400+square feet does not hinder FWP's ability to operate the check station and will benefit public safety and will assure MDOT meets federal funding regulatory needs.

FWP regional staff has review the MDOT plans to assure FWP needs would be met. MDOT will provide FWP a credit for FWP in the amount of \$2,550 for work identified for improvements to the Check Station or other road improvement on FWP property.

Public Involvement Process & Results (Brief description of the type of public involvement and summary of what we heard from the public): MT Department of Transportation put out an Environmental Assessment and provided Public the opportunity to comment on all aspects of the project including the fee title purchase of FWP property in the fall or 2010.

Alternatives and Analysis (Brief description of alternative solutions with analysis of the pros and cons of each):

None

MDOT engineered this to minimize impacts to FWP and adjacent land owners.

Any other option would delay the road project. Redesign of the intersection would require substantial engineering and would still need FWP land to be involved.

Agency Recommendation & Rationale (Brief description of our recommendation to the Commission and the reasons for it):

FWP recommends the Commission endorse and approve the fee title transfer of 400+ square feet of the Augusta Check Station to Montana Department of Transportation.

Proposed Motion (Draft language the Commission could use to adopt the agency recommendation):

Move to approve the fee title transfer, of 400+ square feet of the Augusta Check Station for the appraised value to Montana Department of Transportation.